

Town Board Minutes

January 19, 2016

Meeting No. 2

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 19th day of January 2016 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
MATTHEW WALTER, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
LEONARD CAMPISANO, ASST. CODE ENFORCEMENT
OFFICER
GERALD GILL, CHIEF OF POLICE
MARK LUBERA, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

EXECUTIVE SESSION:

AT 8:44 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the Town Board entered into Executive Session to deliberate on a proposed, pending or current litigation.

At 9:34 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Chowaniec, Lee, spoke to the Town Board on the following matters:

- Questioned why the County submitted paperwork on Walden Avenue Patio Homes rezone at this time.
- Asked about Critical Environment Areas.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: Local Law Restricting the Discharge of Weapons in the Town of Lancaster

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER WALTER AND CARRIED, the public hearing was opened.

At 7:19 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Local Law Restricting the Discharge of Weapons in the Town of Lancaster matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Heather Johnson	Proponent
David Anthony	Opponent
Jamie Johnson	Proponent
Scott Little	Proponent
Scott Andrusz	Opponent
Nick Tshulos	Proponent
Mark Martzolf	Opponent
Donald Pionessa, Sr.	Opponent
Mike Vacanti	Opponent
Tom Fischer	Opponent
Jim Poulos	Proponent
Tom Kaufman	Opponent
Scott Littlewood	Comments
Floyd Shilling	Opponent
RJ Surowick	Opponent

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 8:30 P.M.

Decision on this matter was reserved.

January 19, 2015

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held January 4, 2016 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 42740 to Claim No. 42946 Inclusive

Total amount hereby authorized to be paid: \$ 834,402.18

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
24877		RJF Development JV	6 Bennington Ln	Er. Dwlg.-Sin.	
24878		Essex Homes of WNY Inc.	60 Tranquility Trl	Er. Dwlg.-Sin.	
24879		Kevin J. Koscielniak	36 Cedar Brook Dr	Er. Res. Alt.	
24880		The Vinyl Outlet Inc.	170 Central Ave	Er. Deck	(V/L)
24881		Christopher D. Brehm	9 Schiffler Ct	Er. Shed	
24882		Michael Militello	5876 Broadway	Re-Roof	
24883		Northeast Mechanical Inc.	54 Newberry Ln	Inst. Generator	
24884		RJF Development JV	10 Darien Ct	Er. Dwlg.-Sin.	
24885		RJF Development JV	5 Darien Ct	Er. Dwlg.-Sin.	
24886		Marrano/Marc Equity Corp.	1 Denton Dr	Er. Townhouses	
24887		Marrano/Marc Equity Corp.	3 Denton Dr	Er. Townhouses	
24888		David Smith	566 Townline Rd	Er. Pole Barn	
24889		Italian Gardens Real Est Corp.	6461 Transit Rd	Er. Sign - Wall	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, §1660 (18) Vehicle and Traffic Law of the State of New York authorizes the Town to restrict and prohibit the parking of vehicles on all roads within the Town except State Highways, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER";

NOW, THEREFORE,
BE IT RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 1st day of February, 2016, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published in the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 19th day of January, 2016, the said Town Board will hold a Public Hearing on the 1st day of February, 2016 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

ARTICLE X – Parking, Standing, and Stopping

46-12. Parking prohibited in designated locations, is hereby amended by adding thereto the following:

A. The parking of vehicles is hereby prohibited in any of the following locations:

(35) Deer Cross Subdivision

- (a) On the East side of Via Tripodi from lot number 8 south to William Street.
- (b) On the West side of Via Tripodi from lot number 1 to William Street.
- (c) On the North side of Via Donato from lot number 25 to lot number 31.
- (d) On the South side of Via Donato from lot number 28 to Via Tripodi; and from lot number 8 to Via Tripodi.

and

ARTICLE X – Parking, Standing, and Stopping

46-13. Standing prohibited in designated locations, is hereby amended by adding thereto the following:

A. The standing of vehicles is hereby prohibited in any of the following locations:

(35) Deer Cross Subdivision

- (a) On the East side of Via Tripodi from lot number 8 south to William Street.
- (b) On the West side of Via Tripodi from lot number 1 to William Street.
- (c) On the North side of Via Donato from lot number 25 to lot number 31.
- (d) On the South side of Via Donato from lot number 28 to Via Tripodi; and from lot number 8 to Via Tripodi.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

January 21, 2016

By: **DIANE M. TERRANOVA
TOWN CLERK**

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, by resolution adopted on January 4, 2016, the Town Board of the Town of Lancaster authorized the soliciting of bids for the Town of Lancaster’s Tree Planting Program to the Town Clerk’s Office, and

WHEREAS, originally all bids were to be received by 10:00 A.M. January 27, 2016, however, due to publishing standards held by the State Contract Reporter, the received date needs to be amended to 10:00 A.M. January 28, 2016;

NOW, THEREFORE, BE IT RESOLVED, that the resolution adopted January 4, 2016, setting the deadline for January 27, 2016 to receive bids for the Town of Lancaster’s Tree Planting Program, be and is hereby amended to change the receive date to January 28, 2016.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Agreement, between the Town of Lancaster and the Depew-Lancaster Boys' and Girls' Club, Inc., subject to the approval of the Town Attorney and receipt of all required documents and insurance certificates, for the operation of a Youth Development Program for the benefit of youth in the Town of Lancaster and hereby authorizes the Supervisor to execute said agreement which will cover the period January 1, 2016 through December 31, 2016.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Daemen College, Division of Health and Human Services, Department of Social Work and Sociology desires to have an affiliation with the Town of Lancaster for the purpose of allowing college interns from the Social Work Program to participate in a Field Education Program through the Town of Lancaster Youth Bureau, and

WHEREAS, it would be in the public’s interest for the Supervisor, to enter into a Memorandum of Agreement with Daemen College, Division of Health and Human Services, Department of Social Work and Sociology, allowing the involvement of college interns from the Social Work Program to participate in a Field Education Program within the Lancaster community under the guidance of the Town’s Youth Bureau Director and Program Coordinator, and

WHEREAS, the college interns would gain practical experience for their career while providing support and encouragement to children under the supervision of trained mentors at no cost to the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, hereby authorizes the Supervisor to enter into Memorandum of Agreement with Daemen College, Division of Health and Human Services, Department of Social Work and Sociology, in the form approved by the Town Attorney, allowing college interns to participate in a Field Education Program under the supervision of the Program Coordinator through the Town’s Youth Bureau.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town of Lancaster has been an issuing agent of conservation licenses on behalf of the New York State Department of Environmental Conservation for more than seven (7) decades; and

WHEREAS, the New York State Department of Environmental Conservation is requiring all new issuing agents in New York State to sign an agreement thus enabling them to continue selling conservation licenses on behalf of the New York State Department of Environmental Conservation.

**NOW, THEREFORE, BE IT
RESOLVED**, the following:

- 1. The Town Board does hereby authorize Town Clerk and licensing agent, Diane M. Terranova to execute the agreement with the New York State Department of Environmental Conservation which will commence on January 20, 2016.
- 2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Paul Marinaccio, owner of PM Peppermint, Inc., 5636 Transit Road, Depew, New York 14043 has applied for a Dumping Permit for property situated on 31 Peppermint Road, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer, by letter dated January 12, 2016 have completed their review and made a formal, favorable recommendation to the Town Board.

NOW, THEREFORE, BE IT

RESOLVED, that Paul Marinaccio, owner of PM Peppermint, Inc., 5636 Transit Road, Depew, New York be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant situated on 31 Peppermint Road, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and

BE IT FURTHER

RESOLVED, that **this permit is conditioned** in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of dirt. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
3. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road.
4. Fill area shall be graded and seeded upon completion of filling.
5. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday thru Saturday. No dumping shall be allowed on Sunday.
6. Dust from the site shall also be prevented from migrating off site.
7. Fill shall only be placed in the areas which are indicated on the plot plan.
8. No signage for dumping allowed.

9. The source of fill will be from various projects to be completed by Accadia Site Contracting, Inc.

BE IT FURTHER

RESOLVED, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

BE IT FURTHER

RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAM	VOTED	YES

January 19, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER WALTER, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town owns certain real property commonly known as 3789
Walden Avenue (Rear), Lancaster, New York (SBL No. 104.08-7-7.1) (the “Property”); and

WHEREAS, the Town Board previously approved the sale of the Property to
the County of Erie on August 17, 2015; and

WHEREAS, the County of Erie has offered to lease a portion of the Property
to the Town on a short-term basis to allow for the transition of Town services from the
Property and on such terms and conditions as set forth in that certain lease presented to the
Town Board (the “Lease”), which Lease is subject to the Town Board’s review and approval;
and

WHEREAS, the Town Board has reviewed the terms of the Lease and is
satisfied therewith, and wishes to accept the Lease, subject to the terms and conditions set
forth in the Lease, and to approve the Supervisor’s execution of the Lease on behalf of the
Town;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board hereby (a) approves the Lease
pursuant to the terms and conditions of the Lease; and (b) authorizes the Supervisor to execute
and deliver the Lease; and (c) authorizes the Supervisor and other appropriate Town officials
to proceed with the implementation of all steps reasonably necessary and appropriate to
implement the terms and conditions of the Lease.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GACZEWSKI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town of Lancaster’s Highway Department currently has an agreement with Wendell WD Architecture Engineering Surveying & Landscape Architecture, P.C. (“Wendell”), 375 Essjay Road, Suite 200, Williamsville, New York 14221, to provide upgrades to the Town’s Functional Geographic Information System (GIS) for the development and implementation of ArcGIS Server Web Mapping Application (WMA) Integration and Update of Culvert Layer, Drainage Analysis and GIS technical support and training, and

WHEREAS, there is currently an upgrade available for the Town of Lancaster Drainage Easement Digitization and GIS Web Map through the contract with Wendell, and

WHEREAS, Daniel Amatura, Lancaster Town Highway Superintendent by letter dated January 11, 2016 has requested that the Town authorize acceptance of a proposal from Wendell to provide the Drainage Easement Digitization and GIS Web Map Upgrade to the Town of Lancaster’s GIS Web Map site, and

WHEREAS, The Town Board has reviewed the proposal and deems it in the public interest to authorize Wendell to provide the beforementioned update to the Town of Lancaster’s GIS Web Map site;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the update proposal between the Town of Lancaster and Wendell to provide Drainage Easement Digitization and GIS Web Map Upgrade Services to the Town of Lancaster’s GIS Web Map site, for an amount not to exceed \$3,700.00, which will be paid for with funds available from the Highway Department’s 2016 Budget line item 01-8540-00410.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, by resolution dated January 4, 2016, the Town Board has designated the official depositories of the Town of Lancaster for 2016 and 2017, and

WHEREAS, in said resolution the Town Board designated Empire National Bank as an official depository, and

WHEREAS, Empire National Bank is utilized by Richard J. Schmidt and Associates/Hometown Insurance Agency, the Administrator of the Town of Lancaster Firefighter Length of Service Award Program Trust for administration of the program, and

WHEREAS, the Town Board desires to designate the trustees of the Service Awards Trust to be signers for the Empire National Bank accounts,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to sign and execute any and all forms and documents with Empire National Bank including but not limited to the Signature Specimen Card, ACH Origination Agreement and attachments, Service Award Trust Check Payment Listing, Service Award Trust Automatic Payment Listing, eStatement Application and Business Online Banking Application, and

BE IT FURTHER

RESOLVED, that Johanna M. Coleman, Supervisor and David J. Brown, Director of Administration and Finance constitute the trustees of the Service Awards Trust and are authorized signers for the aforementioned Service Award Trust, and

BE IT FURTHER

RESOLVED, that the Town Board authorizes Empire National Bank to draw periodic checks to pay the entitlement award to eligible participants who request to be paid in that fashion, and that such payments will not change and will continue until instructed otherwise by the Trustees, and

BE IT FURTHER

RESOLVED, that the checks will be drawn from an Empire National Bank central check issue account which will be funded, as required, through a charge to a “Service Award Trust” account maintained at Empire National Bank, and

BE IT FURTHER

RESOLVED, that the Town Board authorizes Empire National Bank to make periodic automatic payments to pay the entitlement award to eligible participants who request to be paid in that fashion and who further authorize the Administrator to do so, such direct deposit payment authorizations to be maintained in the Administrator’s files, and that such periodic automatic payments will not change and will continue until instructed otherwise by the Trustees, and

BE IT FURTHER

RESOLVED, that said periodic automatic payments will be drawn from a “Service Award Trust” account maintained at Empire National Bank.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Police Lieutenant Mitchell Converse has informed the Town that he is retiring from Town employment in February 2016, and

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated January 14, 2016, has recommended the appointment of Bryan Asposto to the position of Police Officer, and

WHEREAS, Bryan Asposto is eligible for appointment as a result of his placement on the applicable Erie County Department of Personnel Eligible List;

NOW, THEREFORE, BE IT

RESOLVED, that Bryan Asposto be and is hereby appointed to the position of Police Officer in the Town of Lancaster Police Department effective January 18, 2016; and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the Cayuga Club Police Benevolent Association and all applicable provisions of law, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

January 19, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town of Lancaster desires to add one (1) additional position of Cleaner, part-time, and

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) additional position of Cleaner, part-time in the Town of Lancaster.

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town of Lancaster desires to add one (1) position of Code Enforcement Officer, and

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) position of Code Enforcement Officer in the Town of Lancaster.

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Jeffrey Simme is retiring from his position as Code Enforcement Officer effective January 30, 2016, thereby creating a vacancy in the Code Enforcement Office, and

WHEAREAS, the Town Board desires to fill this vacancy, and

WHEAREAS, The Town has canvassed Erie County for the eligible candidates from the Civil Service list, and

WHEREAS, Matthew Fischione qualifies for permanent appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

NOW, THEREFORE, BE IT

RESOLVED, that Matthew Fischione of Depew, New York, be and is hereby appointed to the position of Code Enforcement Officer in the Town of Lancaster Building Department, effective January 20, 2016, at an annual salary of \$55,250, on step, which represents 85% of the full salary of \$65,000, and subject to the terms and conditions in accordance with the Personnel Rules for Employees in the Service of the Town of Lancaster and various other resolutions adopted by the Town Board covering similarly situated employees of the Town of Lancaster, and further subject to the maximum probationary period allowed by law, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

January 19, 2016

COMMUNICATIONS & REPORTS

- 22. Supervisor to Town Clerk –
Appointment of John Abraham, Jr. as Deputy Supervisor effective January 1, 2016.
Disposition = Received & Filed**
- 23. Supervisor to Town Clerk –
Appointment of David J. Brown as Director of Administration and Finance
effective January 1, 2016. Disposition = Received & Filed**
- 24. Supervisor to Town Clerk –
Appointment of Janice Korzeniewski as Secretary to the Supervisor effective
January 4, 2016. Disposition = Received & Filed**
- 25. Town Clerk to Office of the Town Clerk –
Appointment of Donna Martin to the full-time position of 1st Deputy Town Clerk
Effective January 1, 2016. Disposition = Received & Filed**
- 26. Town Clerk to Office of the Town Clerk –
Appointment of Karen Loecher to the full-time position of Deputy Town Clerk
effective January 1, 2016. Disposition = Received & Filed**
- 27. Town Clerk to Town Board –
Appointment of Jeanne Feldmann to the part-time position of Clerk in the Town
Clerk's Office effective January 1, 2016. Disposition = Received & Filed**
- 28. Town Clerk to Town Board –
Request for appointment of Donna Martin as Deputy Registrar of Vital Statistics.
Disposition = Resolution 1/4/16**
- 29. Amanda Roth to Supervisor –
Request for stop sign to be placed at the curve on Foxhunt Road before
3 Foxhunt Road. Disposition = Police Chief**
- 30. Town Clerk to Town Engineer and Building Inspector –
Transmittal of application for dumping permit for PM Peppermint, Inc.
31 Peppermint Road. Disposition = Resolution 1/19/16**
- 31. Town Clerk to Route Supervisor, Allied Waste Services –
Transmittal of a copy of Exhibit "B" from the application and license decals for
placement on windshields of trucks. Disposition = Received & Filed**
- 32. Frank Swignonski to Supervisor –
Congratulations and offer to help the administration in any capacity.
Disposition = Resolution 1/4/16**
- 33. Lew Pacanowski to Town Board –
Dog Control Report for December 2015. Disposition = Received & Filed**
- 34. Carolanne Kerl to Police Chief –
Notice of intention to retire from her position with the Lancaster Police Department
effective January 31, 2016. Disposition = Director of Finance & Payroll Supervisor**
- 35. Erie County Comptroller to Supervisor –
Report detailing the apportionment and distribution of net collections from the
Sales Tax for September through November 2015.
Disposition = Director of Finance**
- 36. Park Crew Chief to Supervisor and Town Board –
Request for resolution to create another position of part-time cleaner.
Disposition = Resolution 1/19/16**

- 37. Jeffrey Simme, Supervising Code Enforcement Officer to Supervisor and Town Board –**
Notice of intention to retire from the position of Supervising Code Enforcement Officer as of January 29, 2016.
Disposition = Director of Finance & Payroll Supervisor
- 38. Town Attorney to Town Board and Planning Board –**
SEQR responses from Erie County Dept. of Environmental Planning and Erie County Dept. of Public Works regarding Walden Patios at Pleasant Meadows (Proj. #5022), northwest corner Walden Ave. & Juniper Blvd.
Disposition = Planning Committee
- 39. Town Attorney to NYSDEC, ECDPW, Erie County Health Dept., Division of Sewerage Management, NYSDOT, and ECDEP –**
Request for lead agency designation regarding Hellenic Orthodox Church Worship Center & Banquet Facility (Proj. #1434), Genesee Street.
Disposition = Planning Committee
- 40. Captain Marco Laurienzo to Supervisor –**
Request for resolution limiting the speed to 40 MPH on Gunnville Road between Genesee St. and Clarence town line.
Disposition = Town Attorney & For Resolution
- 41. Town Clerk to Various News Media –**
Notice of meetings of official bodies. Disposition = Received & Filed
- 42. NYSDOT to Supervisor –**
Response to resident concerns with intersection at Broadway and Pavement Road. Disposition = Public Safety Committee
- 43. Town Clerk to Various News Media –**
Notice of rescheduled meeting of the Lancaster Town Board from Monday, January 18, 2016 to Tuesday, January 19, 2016. Disposition = Received & Filed
- 44. Town Clerk to Town Engineer and Building Inspector –**
Transmittal of Application for Dumping Permit for Thomas Mediak, 520 Pavement Road. Disposition = Drainage Committee
- 45. Town Clerk to Buffalo Crushed Stone –**
Special Use Permit for the year 2016 to excavate sand, gravel and stone aggregates at the site outlined. Disposition = Received & Filed
- 46. Amherst Town Supervisor and Deputy Supervisor to Town Clerk –**
Received communication of December 22, 2015 and the Local Law Restricting the Discharge of Weapons in Several Residentially Zoned Districts.
Disposition = Public Safety Committee
- 47. School/Community Social Worker to Lancaster Tax Receivers Office –**
Thank you for extremely generous support of the Holiday Distribution Program.
Disposition = Received & Filed
- 48. Highway Superintendent to Town Board –**
Request for resolution regarding agreement for Drainage Easement Digitization and GIS Web Map Update with Wendel, 375 Essjay Road, Williamsville, NY.
Disposition = Resolution 1/19/16
- 49. Erie County Executive to Supervisor –**
Approval of acquisition of Senior Citizen Van through Erie County Consortium Community Development Block Grant Program.
Disposition = Highway Superintendent

- 50. Assembly Member Angela Wozniak to Supervisor –
Thank you for letter regarding resolution adopted by the Lancaster Town Board regarding the “Safe Staffing for Quality Care Act”. Disposition = Received & Filed**
- 51. Arlie Schwan to Lancaster Zoning Board of Appeals Members –
Letter of resignation as member from the Zoning Board of Appeals.
Disposition = Received & Filed**
- 52. Town Clerk to Waste Management of New York, LLC –
Transmittal of a copy of Exhibit “B” from the application for a Solid Waste License and decals for placement on windshields of trucks.
Disposition = Received & Filed**
- 53. Town Clerk to Town Board –
Town Clerk’s Monthly Report for December 2015. Disposition = Received & Filed**
- 54. Erie County Division of Sewerage Management to Supervisor and Town Engineer –
SEQR review regarding proposed existing out of district customer extension to Erie County Sewer District Nos. 1,2,3,4,& 5. Disposition = Received & Filed**
- 55. Park Crew Chief to Supervisor and Town Board –
Request for resolution to install new siding on the Youth Bureau building by Wilks Home Improvement, 18 Santin Drive, Cheektowaga, NY.
Disposition = For Resolution**
- 56. Town Engineer and Supervising Code Enforcement Officer to Town Board –
Recommend issuance of a dumping permit to PM Peppermint Inc.,
31 Peppermint Road; conditions noted. Disposition = Resolution 1/19/16**
- 57. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 58. Boy Scouts of America to Supervisor –
Congratulations and offer to help with any volunteer work needed in the Town of Lancaster. Disposition = Park Crew Chief & Highway Superintendent**
- 59. Police Chief to Town Board –
Request for resolution appointing Bryan Asposto to fill the existing patrol officer vacancy retroactive to January 18, 2016. Disposition = Resolution 1/19/16**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER WALTER AND CARRIED,** the meeting was adjourned in memory
of Robert Baggett, Lucy Laraiso, Ramblin Lou Schriver, and Bonita A. Trerotola at 9:35 P.M.

Signed_____

Diane M. Terranova, Town Clerk